

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/970,957	ISHIKAWA, YASUHIKO
	Examiner TISHA D. LEWIS	Art Unit 3681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment received on March 22, 2004.
  2.  The allowed claim(s) is/are 3-20.
  3.  The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
  4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a)  All
    - b)  Some\*
    - c)  None
 of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
  7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

The following is a response to the amendment received on March 22, 2004, which has been entered.

### ***Response to Amendment***

Claims 3-20 are pending in the application. Claims 21-22 have been cancelled.

-The objection to claims 13, 20 and 22 has been withdrawn due to applicant amending claims 13 and 20 to correct grammar according to the office action mailed on January 13, 2004 and canceling claim 22.

-The 112 2<sup>nd</sup> rejection of claims 13-16 has been withdrawn due to applicant amending claim 13 to correct lack of antecedent basis of the torque transmission member and amending claim 16 by deleting the limitation from the claim.

-The 102(e) rejection of claim 21 has been withdrawn due to applicant canceling claim 21.

-The 103(a) rejection of claim 22 has been withdrawn due to applicant canceling claim 22.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

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-In claim 20, lines 8-10 and 12, --housing-- has been placed after "differential" as in claim 5 to distinguish between "differential housing" and "differential mechanism" for the remainder of the claim limitations.

***Allowable Subject Matter***

Claims 3-20 are allowed. The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose or render obvious a motivation to provide for:

-(As to claim 5) a differential including a drive gear, a differential housing rotatable to and driven by the drive gear, a differential mechanism rotatable by the housing, a support member located between the drive gear and housing supporting the drive gear for relative rotation to the housing, a clutch interconnecting the drive gear and the housing by a first clutch and an actuator operating the clutch wherein the clutch is located axially between the support member and the actuator.

-(As to claim 20) a differential system having a reduction gear, a drive gear driven by the reduction gear, a differential housing rotatable to and driven by the drive gear, a differential mechanism rotatable by the housing, a support member located between the drive gear and housing for supporting the drive gear for relative rotation to the housing, a clutch interconnecting the drive gear and the housing by a first clutch and an actuator operating the clutch wherein the clutch is located axially between the support member and the actuator.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TISHA D. LEWIS whose telephone number is 703-305-0921. The examiner can normally be reached on M-Thur 8 AM TO 3 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHARLES A. MARMOR can be reached on 703-308-0830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tdl  
April 28, 2004

*Tisha D Lewis*  
TISHA D. LEWIS  
Primary Examiner  
Art Unit 3681      4/28/04